

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

KEVIN DEAN BENNETT,
Institutional ID No. 02355208

Plaintiff,

v.

No. 1:24-CV-00093-H

ERMIAS Z. ABEBE, *et al.*,

Defendants.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation (FCR) that the Court deny Plaintiff's motion for preliminary injunction and temporary restraining order. Plaintiff filed objections.

"The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(a)(3); *see* 28 U.S.C. § 636(b)(1). In contrast, the district judge reviews any unobjected-to findings, conclusions, and recommendations for plain error. The District Court independently examined the record and unobjected-to portions of the FCR for plain error. Additionally, the Court has conducted a de novo review of Plaintiff's brief objections—which amount to restatements of arguments made in his prior pleadings, conclusory statements, or mere disagreements with the wording of the FCR. The Court finds no error, overrules the objections, and accepts and adopts the findings, conclusions, and recommendation of the United States Magistrate Judge.

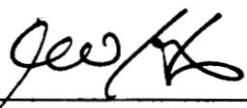
As a result, Plaintiff's motion for preliminary injunction and temporary restraining order, Dkt. No. 20, is denied.

Additionally, to the extent Plaintiff's objections renew his request for appointment of counsel, Dkt. No. 22, the Court denies the request at this time. Plaintiff's first request for appointment of counsel was denied without prejudice to his right to renew his request after the Court has completed screening of his case or should there be a material change of circumstances. Dkt. No 10. The Court finds that circumstances have not changed, and Plaintiff's complaint remains pending judicial screening pursuant to 28 U.S.C. § 1915; thus, the request for appointment of counsel is denied. No further motions for appointment of counsel shall be filed until the Court has completed the screening required by 28 U.S.C. § 1915(e)(2).

This case is returned to the docket of the Honorable John R. Parker to continue the judicial screening process under 28 U.S.C. §§ 1915(e)(2) and 1915A. *See* Dkt. No. 11.

So ordered.

Dated February 19, 2025.



JAMES WESLEY HENDRIX
United States District Judge